



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY  
2565 PLYMOUTH ROAD  
ANN ARBOR, MICHIGAN 48105-2498

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OFFICE OF  
AIR AND RADIATION

MEMORANDUM:

FROM: Suzanne Rudzinski, Director *Suzanne Rudzinski*  
Transportation and Regional Programs Division  
Office of Transportation and Air Quality

TO: EPA Regional Air Directors, Regions I – 10

SUBJECT: Conformity SIP Guidance

Attached is a document that provides guidance on the requirement that states adopt their own criteria and procedures for determining transportation conformity; these state conformity rules are known as "conformity SIPs." Where EPA has approved a state's conformity SIP, the approved conformity SIP governs conformity determinations instead of the federal rule, for those aspects of the rule that it addresses.

EPA recently published a new final rule for transportation conformity on July 1, 2004 (69 FR 40004). The conformity SIP guidance document will help areas that have approved conformity SIPs know which provisions of the July 1, 2004, conformity rule amendments apply immediately in their areas, and which provisions cannot apply until their conformity SIPs are revised.

We also took the opportunity in this guidance document to include answers to other questions about conformity SIPs that we have received. These questions and answers cover topics such as: the use of a Memorandum of Agreement or Memorandum of Understanding for a conformity SIP, conformity SIPs that incorporate the federal rule by reference, whether existing conformity SIPs apply to new nonattainment areas, and the parts of the federal conformity rule that should be tailored in a state conformity SIP.

I hope you will find this guidance useful. Please feel free to forward it to your states. The guidance document directs specific questions to your Regional Offices, and states that additional support could be provided by Laura Berry at [berry.laura@epa.gov](mailto:berry.laura@epa.gov), 734-214-4858, or Rudy Kapichak at [kapichak.rudolph@epa.gov](mailto:kapichak.rudolph@epa.gov), 734-214-4574, of my staff.



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